



Electronic Parental Notification of Events Affecting Schools and Students

Potential Legal Impediments to the Use of Technologies Used to Disseminate Hazard Warnings

The main legal impediment for both the public and private sectors is the potential liability associated with three components of a warning system:

- Liability of generating and maintaining reliable, effective communications - **Content**
- Liability of Emergency Management/Public Safety/Other Public Entity for deciding who and when to notify - **Decision**
- Liability of the service provider(s)/manufacturer of the delivery mechanism - **Delivery**

These same issues are faced today by E-911 call takers, Firemen, Police, National Guard and even NOAA. To address this, the development of standardized Local, State, and Federal "Limits of Liability" is needed. This already exists in Iowa for E-911, however the current law would need to be expanded to cover the proposed service. The current Limitation of Liability for E-911 services in Iowa is in Iowa Code Chapter 34A. Specifically, Iowa Code §34A.7(6) reads:

"Limitation Of Actions - Provider Not Liable On Cause Of Action Related To Provision Of 911 Services. A claim or cause of action does not exist based upon or arising out of an act or omission in connection with a land-line or wireless provider's participation in an E911 service plan or provision of 911 or local exchange access service, unless the act or omission is determined to be willful and wanton negligence."

Common Definition of Events and Notifications

An event has three common elements: Location, Message, Duration. Common criteria would need to be developed by the decision makers for various events and a common message lexicon should be defined for anticipated events, such as:

Emergency Notification

- Hazardous material spill/ release
- Military Chemical Stockpile Emergency Preparedness Program (CSEPP) event
- Fire
- Tornado, blizzard, severe thunderstorm
- Criminal activity (riot, bomb threat, hostage taking, school violence, escaped convict)
- Flood, mudslide
- Public Health Emergency (infection, contagion)
- Dangerous animal (rabies, wild stray)
- Nuclear risk (power facility, dirty bomb)
- Power Outage (during winter or extreme heat)
- Amber Alert / Block Watch/ Block Parent (missing child)



Non-emergency Notification/ Applications

- School closings due to special circumstances (water leaks, facility and infrastructure failures)
- Megan's Law notifications
- Traffic flow restrictions at or near the school
- Special meetings or school events